

STATE OF SOUTH DAKOTA  
: SS  
COUNTY OF MINNEHAHA

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT  
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA,  
Plaintiff  
vs.  
PEYTON ZABEL,  
Defendant.

PD19-008539

**COMPLAINT**

**CR119-3506**

- COUNT 1: BURGLARY 1ST DEGREE - INFLICT INJURY ON ANOTHER - CLASS 2 FEL  
COUNT 2: BURGLARY 1ST DEGREE - IN NIGHTTIME - CLASS 2 FEL  
COUNT 3: BURGLARY 1ST DEGREE - INFLICT INJURY ON ANOTHER - CLASS 2 FEL  
COUNT 4: BURGLARY 1ST DEGREE - IN NIGHTTIME - CLASS 2 FEL  
COUNT 5: SIMPLE ASSAULT - CAUSE INJ-NOT SERIOUS - CLASS 1 MISD

The undersigned being first duly sworn on oath complains and charges:

**COUNT 1**

That the Defendant, PEYTON ZABEL, in Minnehaha County, State of South Dakota, on or about the 11th day of May, 2019, did commit the public offense of Burglary in the First Degree (SDCL 22-32-1(1)) in that the Defendant, SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, with the intent to commit any crime, SIMPLE ASSAULT, and the defendant inflicted or attempted or threatened to inflict physical harm on another person, [REDACTED] DOB [REDACTED] and the premises above described were not, at the time, open to the public nor was the Defendant licensed or privileged to enter or remain therein, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

**COUNT 2**

That the Defendant, PEYTON ZABEL, in Minnehaha County, State of South Dakota, on or about the 11th day of May, 2019, did commit the public offense of Burglary in the First Degree (SDCL 22-32-1(3)) in that the Defendant did enter or remain in an occupied structure, namely, [REDACTED] S. GRANGE AVE., [REDACTED] SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA in the nighttime, with the intent to commit any crime, SIMPLE ASSAULT, and the premises above described were not, at the time, open to the public, or, the Defendant was not licensed or privileged to enter or remain therein, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

**COUNT 3**

That the Defendant, PEYTON ZABEL, in Minnehaha County, State of South Dakota, on or about the 11th day of May, 2019, did commit the public offense of Burglary in the First Degree (SDCL 22-32-1(1)) in that the Defendant did enter or remain in an occupied structure, namely, [REDACTED] S. GRANGE AVE., SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, with the intent to commit any crime, SEXUAL CONTACT, and the defendant inflicted or attempted or threatened to inflict physical harm on another person, [REDACTED] DOB [REDACTED] and the premises above described were not, at the time, open to the public nor was the Defendant licensed or privileged to enter or remain therein, contrary to the

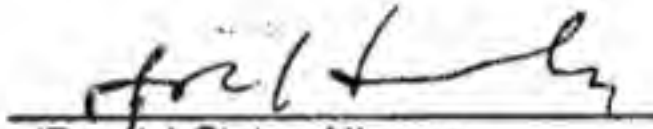
form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 4

That the Defendant, PEYTON ZABEL, in Minnehaha County, State of South Dakota, on or about the 11th day of May, 2019, did commit the public offense of Burglary in the First Degree (SDCL 22-32-1(3)) in that the Defendant did enter or remain in an occupied structure, namely, [REDACTED] S. GRANGE AVE., SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA in the nighttime, with the intent to commit any crime, SEXUAL CONOTACT, and the premises above described were not, at the time, open to the public, or, the Defendant was not licensed or privileged to enter or remain therein, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 5

That the Defendant, PEYTON ZABEL, in Minnehaha County, State of South Dakota, on or about the 11th day of May, 2019, did commit the public offense of Simple Assault (SDCL 22-18-1(5)) in that the Defendant did intentionally cause bodily injury to another, [REDACTED], DOB [REDACTED] which did not result in serious bodily injury to [REDACTED], DOB [REDACTED], contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

  
(Deputy) States Attorney  
Minnehaha County, South Dakota

Subscribed and sworn to before me this 13th day of May, 2019.

  
My commission expires: 09/24/2020

Initial Appearance Date: 5/13/2019

DOB: [REDACTED]

Address:

[REDACTED] NELTON DR., PIERRE, SD 57501

Arresting Officer: PEARSON, A.

